

REMARKS

With the Response, Applicants respectfully request that claims 6, 16, and 26 be canceled without prejudice. Claims 1, 11, and 21 are amended herein. Therefore, claims 1-5, 7-15, 17-25, and 27-30 are pending.

ALLOWABLE SUBJECT MATTER

Claims 2-10 and 22-30 were objected to as being dependent upon a rejected base claim, but would be allowed if rewritten in independent form. Applicants kindly acknowledge that these claims were found to have patentable subject matter. The subject matter from claims 6, 16, and 26 were incorporated, respectively, into independent claims 1, 11, and 21.

REJECTIONS UNDER 35 U.S.C. § 101

Claims 11-20 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. More specifically, these claims were rejected as being directed to software per se. Applicants respectfully submit that the amendments herein make explicit what was implicit in the claims prior to the amendment - the claims are directed to an article, specifically an article of manufacture having the instructions stored thereon. Thus, per MPEP § 2106, the claims are directed to the statutory category of a "manufacture."

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 11 and 21 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,573,847 of Wang (hereinafter "Wang"). Applicants respectfully submit that these claims are not anticipated by the reference for at least the following reasons.

The subject matter from claims 6, 16, and 26 was found to be allowable over Wang, and has been incorporated, respectively, into independent claims 1, 11, and 21. Thus, Applicants respectfully submit that per the Office Action, the independent claims are patentable over the cited reference. The dependent claims should thus be allowable as written because they are dependent on the allowable independent claims.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, all pending claims are in condition for allowance, and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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